

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

SEPTEMBER 8, 2008

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present:

Chairman Harold Sanger  
Steve Lichtenfeld, Aldermanic Representative  
Craig Owens, City Manager  
Jim Liberman  
Scott Wilson  
Ron Reim

Absent:

Marc Lopata

Also Present:

Catherine Powers, Director of Planning & Development Services  
Jason Jaggi, Planner

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off.

MINUTES

The minutes of the regular meeting of August 18<sup>th</sup>, 2008 were presented for approval. The minutes were approved, after having been previously distributed to each member.

REPLACEMENT FENCE – COMMERCIAL – 500 S. HANLEY ROAD (WESTWAY CLEANERS)

Catherine Powers explained that this is continued consideration for approval of a vinyl fence to replace a wood fence at the subject location. Catherine indicated that this item appeared on the previous agenda, but no one was present at the meeting to make a presentation and therefore, the item was continued. She stated that the applicant is proposing to install a three (3) foot tall white vinyl privacy fence along the north and east sides of the surface parking lot. The fence will be replacing a wooden one that is in need

of replacement. Catherine noted that the existing fence has been cited during a property maintenance inspection. She stated that the fence will be fastened on top of an existing concrete wall, with an average height of twenty-four (24) inches. The total height of the wall and fence would be five (5) feet tall. The proposed fence along the east side of the parking lot will continue to provide screening from residences behind the business. The proposed fence will also serve as a safety mechanism, for the east side of the property sits on atop a steep retaining wall. The north side of the property contains many Holly trees that rest against the current fence. In order to ensure the integrity of the new fence, the holly trees should be trimmed. Catherine indicated that staff believes the style of the proposed fence is compatible with the surrounding area and will continue to serve as a visual buffer for the adjacent residential area; although staff would prefer a wood material; however, due to the small height of the fence; vinyl is acceptable if the color is changed to tan or beige, which staff believes would be more compatible with the area and therefore, staff recommends approval with the following conditions:

1. That a more compatible fence color be chosen, such as tan or beige,
2. That Holly trees remain and be trimmed, and
3. That the applicant obtain a fence permit prior to installation.

Again, no one was in attendance to make the presentation.

Catherine Powers stated that a portion of the fence had previously been removed and that tape is in its place, which is not a good situation.

Chairman Sanger again suggested holding off on this to see if the applicant shows up later this evening.

#### NEW CONSTRUCTION – ADDITION TO SINGLE FAMILY RESIDENCE – 7424 BUCKINGHAM

Richard Winter, homeowner, and Alvah Levine, project architect, were in attendance at the meeting.

Catherine Powers indicated that this is a request for a second story, 220 square foot brick and Hardie Board siding addition to be located above the existing one-story portion on the east side of the structure. The existing home is a brick two-story structure located in the Moorlands Addition Subdivision. Brick is proposed for the front elevation and for a portion of the side elevation. Siding is shown on the rear and side elevation where the addition extends over a proposed covered deck. According to the architect, the rear elevation represents 9.2 % siding, the east side is 24.8%, and the front and west elevations contain no siding. The height of the addition will be 22 feet to match the height of the existing residence. The windows will be double-hung white in color to match the existing first floor windows of the addition. Brick rowlock sills are proposed in keeping with the existing house. The roof of the addition will be constructed with asphalt shingles to match the

existing residence. Catherine stated that the addition is small and blends well with the existing structure and that Hardie Board siding is proposed due to weight limitations. Catherine indicated that staff recommends approval as submitted.

Chairman Sanger asked why this was not administratively approved.

Craig Owens indicated that he is ascertaining what the City's standards are and what is acceptable.

Chairman Sanger indicated that his question was not meant to be derogatory and that the ARB is more than willing to review anything that is brought before them.

Mr. Levine distributed reduced scale partial color elevations to the members. He stated the addition has been designed to duplicate the original addition and that samples are available for presentation to the Board.

Mr. Winter presented samples of the brick, roofing material (asphalt shingle) and pre-painted Hardie Board.

Jim Liberman asked what elevation is the east elevation.

Mr. Levine indicated that the east elevation is the gable side (on the left). He stated that the second floor will be larger than the first and that the existing house has a 1 story addition which this proposed 2<sup>nd</sup> story addition is being placed on top of.

Chairman Sanger asked if the portion of the addition which contains Hardie Board can be seen from the street.

Mr. Levine replied "no".

Scott Wilson asked if there are any subdivision indentures.

Mr. Levine replied "no".

Scott Wilson stated his concern is adding non-brick to existing brick.

Mr. Levin commented that they believe the addition is sensitive to the neighborhood.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Scott Wilson and unanimously approved by the Board.

PUBLIC HEARING – REZONING TO SPECIAL DEVELOPMENT DISTRICT (SDD);  
SDD PLAN & SDD SUB-DISTRICT (PHASE I) – 7700, 7716, 7720, 7730, 7736  
FORSYTH BOULEVARD & 21 S. HANLEY ROAD / SITE PLAN REVIEW (PHASE I)

AND ARCHITECTURAL REVIEW (PHASE I OFFICE TOWER) – 7700, 7716, 7720, 7730, 7736 FORSYTH BOULEVARD & 21 S. HANLEY ROAD – CENTENE PLAZA

Mr. Bob Wislow, Chairman and CEO of U.S. Equities, was in attendance at the meeting. Also in attendance was Tim Gaidis of HOK (project architectural firm).

Catherine Powers explained that with the implementation of the new Special Development District Ordinance which deals with large scale, multi-phased projects, this project is being considered for an SDD versus a Planned Unit Development (PUD) for which the project was considered as in 2007.

Jim Liberman asked for the full scope of what is being considered this evening.

Catherine Powers stated that the rezoning to a SDD, the overall SDD Plan, the Sub-District Plan (Phase I), the site plan (Phase I) and architectural review of the office tower only is being presented for consideration this evening.

Jim Liberman asked for clarification that the garage's site plan and number of parking spaces, but not the architectural aspects, is being considered at this time.

Catherine Powers replied "yes". She stated that it is not unusual to present a project of this magnitude in "pieces". She reminded the members that the garage construction is not scheduled to begin for 9 – 10 months.

Steve Lichtenfeld asked if there will be three separate public hearings or if they will be combined in to one.

Catherine Powers indicated that they probably should be combined into one public hearing. She reiterated that the public hearings are for the rezoning to a SDD, the SDD Plan as a whole and the SDD Sub-district Plan (Phase I). She indicated that the parking ratio being proposed for Phase I is 1:322 and for Phase II is 1:316, which the parking consultant indicates meets the parking demand for the project. She stated that the project also meets the criteria in the Business Districts Master Plan and the qualifications for a Special Development District pursuant to Chapter 22 (Zoning Ordinance), Article 11.

Catherine then provided a synopsis of the rezoning requests and SDD Plan as follows:

Consideration of Rezoning and Special Development District plan for a mixed-use project (Centene Plaza) proposed for 7700-7736 Forsyth Boulevard & 21 S. Hanley Rd (located at the southwest corner of Forsyth and Hanley and the northwest corner of Hanley and Carondelet). The existing zoning is as follows:

- 7716-7736 Forsyth Boulevard: High Density Commercial District base zoning; CBD Core Overlay Zoning District.

- 7700 Forsyth Boulevard and 21 South Hanley Boulevard: High Density Commercial District

The proposed zoning is Special Development District (SDD) for all of the above referenced properties.

The project will be a two-phase office and commercial/retail mixed-use development consisting of the following general components:

#### Phase 1

- A 21 story (313 feet in height) office/retail/commercial tower building at the southwest corner of Hanley and Forsyth.
- A 9-level parking garage (approximately 82-feet in height) with first floor retail facing Forsyth Boulevard.
- Landscaped, public open space referred to as Forsyth Court, between the office and parking structures fronting Forsyth.
- A landscaped surface parking lot at 21 South Hanley to provide parking for Phase 1.

#### Phase 2

- An 11-story (165 feet in height) office/retail/commercial mid-rise tower building at the northwest corner of Hanley and Carondelet.
- Additional 4-levels of parking on top of the Forsyth Parking garage. The total height of the parking structure with the additional levels would be approximately 125-feet tall.

An additional landscape public open space, referred to as Hanley Court, will provide a linkage from the Forsyth Court area to Hanley Road.

Catherine indicated that the developer is proposing a total of 2,424 off-street parking spaces to support the project. For Phase 1, 1,178 spaces will be provided in the Forsyth garage and 30 spaces are located underneath the Phase 1 tower. An additional 67 spaces are proposed for the surface parking lot at 21 South Hanley. This parking lot will be in use until the Phase 2 commercial tower is built. The existing 7733 Carondelet parking garage provides 424 spaces which are also available to support the parking needs. The total number of off-street parking provided for Phase 1 is 1,699 spaces. For Phase 2, an additional 769 spaces are proposed by adding 4 parking levels to the Forsyth garage. Phase 2 will also have 23 spaces located underneath the commercial office tower. The surface parking lot at 21 South Hanley will be eliminated resulting in a total of 725 spaces added for Phase 2. The total number of off-street parking available to support the project, including the existing 7733 Carondelet garage, is 2,424 spaces.

Catherine indicated that the proposed project seeks relief from Floor Area Ratio (FAR), setbacks and stepbacks, and parking requirements. The HDC base zoning maximum FAR is 3.0, whereas this project has a FAR of 6.14 (excluding areas used for

parking). The proposed setbacks are 0-feet along Forsyth and Carondelet and a building setback of 9-feet for the parking garage facing Forsyth. Parking is proposed at 1 space per 3.17 gross square feet instead of the required 1 space per 300 gross square feet per the Zoning Ordinance. A Parking Study has been prepared by Parsons Brinckerhoff that substantiates that the parking is adequate for the project.

Catherine stated that the public benefits proposed by this project include, but are not limited to:

- (a) Inclusion of below grade public parking facility located underneath the proposed development;
- (b) Inclusion of street level landscape garden, plaza or park available for public use;
- (c) Inclusion of a mixed use development plan where no single use exceeds 80% of the total floor area;
- (d) Public art;
- (e) Architectural distinction and significance that would make the building(s) noteworthy; and
- (f) Extensive use of high quality building materials that would add to the assessed valuation of the structure(s).

Furthermore, in addition to the positive impact upon vacant and underutilized parcels, this project will provide Clayton with a new corporate headquarters employing several hundred individuals, many of them new jobs. The public plaza areas will bring a new element to the City's ceremonial street.

Catherine indicated that staff believes this project satisfies the vision of the Central Business District Master Plan and, overall, meets the criteria stated above. The parking garage component of the project will have a dramatic impact on the visual character of Forsyth Boulevard. The parking garage contains first floor retail and provides a setback for the upper stories which meets the planning goals of this area. However, due to the size of the structure and its use as a parking facility, the City should carefully consider the proposed design of this component to ensure that it is compatible with the surrounding area on Forsyth. In addition, if the Forsyth and Hanley Court landscaped plazas are to be truly public spaces, these site features need further development by the applicant and consideration by the City.

Catherine indicated that staff recommends that the Plan Commission conduct a public hearing on the request for rezoning to Special Development District and the Special Development Plan. Depending on the public comments received, staff would

recommend approval of the Rezoning to Special Development District and the special development plan to the Board of Aldermen with the following specific conditions:

1. A subdivision plat be approved by the City prior to issuance of building permits;
2. The design of the Forsyth parking garage and Forsyth Court public plaza, including landscaping, be approved by the City's Architectural Review Board and Board of Aldermen prior to building permit issuance for the garage;
3. The surface parking lot located at 21 South Hanley be approved for construction staging for Phase 1. Upon completion of its use for staging, a landscape plan providing sufficient screening for use as a surface parking lot be approved by the Architectural Review Board;
4. The public benefits be provided as shown on the plans and application, including but not limited to, public art, two public plazas, and LEED green building certification;
5. The Sub-District plans, including site plan review and architectural review, be approved in conformance with the Special Development Plan;
6. The signage be approved for the development in the form of a sign district approved by the City's Architectural Review Board;
7. The proposed uses be limited to office, retail, restaurants, and accessory uses to support the primary uses. All retail must be sales tax producing restaurants or retail businesses.
8. Any proposed amendments to the Special Development Plan be considered in accordance with Section 11.17 of the Clayton Zoning Ordinance.
9. Streetscape is installed according to Clayton Streetscape Standards and approved by the Public Works Department;
10. All traffic mitigation identified in the February 2007 Traffic Impact Study prepared by Crawford, Bunte, Brammeier and re-affirmed on August 15, 2008; and
11. All off-site roadway improvements be provided as shown on page 45 of the August 22, 2008 plans or as directed by the Public Works Department.

Catherine Powers asked Chairman Sanger if he wanted her to review the Sub-district (Phase I) and site plan issues at this time.

Chairman Sanger replied "yes".

Catherine Powers then provided a synopsis of the Sub-district (Phase I) and site plan issues as follows:

The project will be a mixed-use office and retail development to be constructed in two phases. This Sub-district plan is concerned with Phase I, scheduled to begin construction in 2008 with completion anticipated in 2010:

Phase I consists of a 21 story (313 feet in height) office/retail tower building at the corner of Hanley and Forsyth. This portion of the project will also feature approximately 14,192 square feet of ground floor retail in the office building. Additionally, this phase will consist of a nine (9) level (7 above grade & 2 below grade) parking garage on Forsyth Boulevard immediately west of the office/retail tower. The ground floor of the garage will contain 21,385 square feet of retail space. This Phase will provide a total of 35,577 square feet of sales tax producing retail.

Because this Sub-district plan is being considered at the same time as the overall Special Development Plan, the two are inter-related. This phase of the overall SDD is requesting the following waivers from the Central Business District (CBD) Core Overlay Zone, which encompasses the garage and public plaza, and the High Density Commercial (HDC) District encompassing the office tower:

<b>WAIVER</b>	<b>DISTRICT</b>	<b>PERMITTED/ REQUIRED</b>	<b>REQUESTED</b>
<i>Height</i>	<i>CBD Core Overlay</i>	<i>4 Stories permitted</i>	<i>7 Stories</i>
<i>Step-back</i>	<i>CBD Core Overlay</i>	<i>15 Feet required</i>	<i>9 Feet (at 3<sup>rd</sup> level of garage)</i>
<i>Parking</i>	<i>CBD Core Overlay/HDC</i>	<i>1:300 required</i>	<i>1:322</i>
<i>Front Setback</i>	<i>HDC</i>	<i>10 Feet required</i>	<i>4.4 Feet</i>
<i>Floor Area Ratio(FAR)</i>	<i>HDC</i>	<i>3.0 required</i>	<i>4.36</i>

In exchange, Centene will provide the City with an architecturally significant office tower, substantial new employment, a public gathering space with public art and 35,577 square feet of ground floor retail. As part of the consideration for the Sub-district plan, it is important to condition the approval upon all the retail being sales tax producing retail or restaurant. The approval should also consider the placement of the entry door at the corner of Hanley Road and Forsyth Boulevard be placed no further west from Column 3 fronting Forsyth and Column B fronting Hanley Road as depicted on Page 31 of the plan booklet.

#### ***Site Plan Review:***

The following addresses key components of the site plan for Phase I of the Centene Project:



Traffic:

A Traffic Study was performed by Crawford, Bunte & Brammeier (CBB) in February, 2007. CBB has stated in an update letter dated August 15, 2008 that the project has not changed significantly from the initial Traffic Study. CBB states that the Centene Project will have the following impact on traffic conditions:

The forecasted traffic conditions were then determined through further analysis and compared to the base conditions. Despite the recommendation of modifications to the signal timing at various intersections and the recommendation for an eastbound right-turn lane on Forsyth Boulevard at Hanley Road, it was not feasible to provide acceptable service conditions at all intersections during the afternoon peak hour. However, it should be reiterated that the base conditions already reflect poor levels of service and congestion along the Hanley Road corridor during the evening peak hour. Consequently, any additional traffic only exacerbates conditions.

During the morning peak hour, the proposed development had a limited effect on levels of service, delays and queues. However, during the afternoon peak hour, many intersections would degrade at least one level of service, if not more. The intersections along Hanley Road (Forsyth, Carondelet & Bonhomme) all are anticipated to operate at a level of service F, with multiple approaches failing. Furthermore, the additional traffic added to southbound Hanley Road (more than 200 vph) would lengthen the queues such that it is anticipated that vehicular queues from Bonhomme would extend back to Carondelet. In addition, the proposed development's impact on the eastbound approach of Forsyth Boulevard to Hanley Road in the afternoon peak hour warrants the construction of a dedicated right-turn lane.

CBB recommends the following mitigation:

Overall, the following recommendations were offered in an attempt to not only mitigate the impact of the additional traffic generated by Centene Plaza but also improve upon pre-development congested conditions:

- *Signal timing adjustments assumed for the a.m. peak hour analysis*
  - The northbound left-turn split from Hanley Road to Carondelet Avenue was increased from 23 seconds to 27 seconds (4 seconds).
- *Signal timing adjustments assumed for the p.m. peak*

*hour analysis*

- The northbound and southbound split at the intersection of Forsyth Boulevard and Bemiston Avenue was increased from 36 seconds to 42 seconds (6 seconds);
  - The westbound left-turn split from Carondelet Plaza to Hanley Road was increased from 12 seconds to 16 seconds; and
  - The southbound left-turn split from Hanley Road to Forsyth Boulevard was increased from 17 seconds to 20 seconds (3 seconds).
- *Construction of a dedicated eastbound right-turn lane on Forsyth Boulevard upon its approach to Hanley Road.*
  - *Consideration of the removal of four on-street parking spaces along the north side of Carondelet Avenue adjacent to the 7711 and 7733 Carondelet parking garages due to sight distance issues at the driveway entrances.*
  - *Consideration of the removal of the on-street parking along Hanley Road between Shirley Drive and Walinca Terrance to improve the northbound traffic flow. Consequently, additional storage capacity for the northbound left-turns onto Shaw Park Drive and/or Bonhomme Avenue could be provided.*
  - *Enhancements to the traffic signal operations, including the upgrade of vehicle actuation at the signalized intersections by installing video cameras on mast arms would assist in the traffic responsive system and the installation of a Pan-Tilt-zoom camera at the intersection of Hanley Road and Forsyth Boulevard.*

Furthermore, based upon the analysis of forecasted conditions the need for an additional southbound through lane on Hanley Road between Forsyth Boulevard and Carondelet Avenue is not warranted. A third lane would have minimal benefit to the operations along southbound Hanley Road.

Catherine indicated the original recommendation for a third southbound lane in 2003 was merited by the heavy southbound right-turn demand from Hanley onto Bonhomme Avenue and/or Shaw Park Drive. However, since the reopening of Forest Park Parkway in 2006, the demand for these movements is considerably less than pre-closure. Consequently, the lack of demand to turn right onto westbound Bonhomme and Shaw Park Drive negates the need and benefits associated with the previously recommended third southbound lane on Hanley Road.

Storm water will be detained on-site in two large vaults under the parking garage and will improve the existing condition. A rain garden is also shown to be located in the center of the surface parking lot at 21 S. Hanley Road to mitigate surface run-off within this area of the site.

This Phase of the Project will provide 1,178 parking spaces in the parking garage, 30 spaces under the office building and 67 spaces on a surface lot at the corner of Carondelet and Hanley. The 424 spaces already in existence at 7733 Carondelet garage will also provide required parking. Therefore, for Phase I, Centene will have a total of 1,699 spaces or 1 space for each 322 square feet.

The Parking Study prepared by Parsons Brinckerhoff dated August 12, 2008, states:

“The demand calculations, using two separate sources, indicate that there will be sufficient parking supply to meet the highest period of demand.”

The report goes on to state that with parking management practices, the project could be enhanced substantially. Staff would request parking strategies be considered to reduce the height of the garage for the second phase of the project.

Streetscape will be installed per City of Clayton Standards to be approved by the Public Works Department.

Staff recommends approval of the Sub-district Plan with the following conditions:

1. That all ground floor entities must be sales tax producing retail or restaurant;
2. That the corner entry in the office tower be no further west than Column 3 facing Forsyth and no further south than Column B facing Hanley as shown on Sheet 31 of the plans;
3. That architectural review for the garage, Forsyth Court and the landscaping be approved by the Plan Commission and Board of Aldermen prior to building permit issuance for the garage; and
4. That the lot consolidation & subdivision plats be approved prior to building permit issuance for the office building.

Staff recommends approval of the site plan with the following conditions:

1. MSD approval of the storm water retention system;
2. All mitigations as outlined on Page 36 of the Traffic Study prepared by Crawford, Bunte & Brammeier;
3. Installation of streetscape per City of Clayton Standards to be approved by the Public Works Department prior to installation;
4. Reconstruct the island at the northwest corner of Hanley Road and Forsyth Boulevard to allow the shift of traffic lanes to the north providing for the addition of an eastbound right turn lane at this intersection, which may include relocation of traffic control boxes, traffic signals and plantings in the island;
5. Final approval by the City's Fire Department of the turn-around area, location of central fire command room and other fire related issues prior to building permit issuance; and
6. Public art approval prior to occupancy of the office building.

Jim Liberman asked the pros and cons of not including 7711 & 7733 Carondelet.

Catherine Powers indicated that it is not really substantive and that a deed restriction is needed to tie those properties into the project.

It was decided to open the public hearing at this time.

Steve Lichtenfeld made a motion to open the public hearing. The motion was seconded by Ron Reim and unanimously approved by the members.

Chairman Sanger commented that it has been a long road to get to this point and that they will take official comments and hopefully, vote on at least some of the items this evening.

Ms. Elizabeth Green, Brighton Way resident, had the following four questions/comments: 1) what is the guarantee that the entire development will be built; 2) has ongoing Hwy. 40 construction been considered; 3) what happens if the retail space is not utilized, and 4) the parking waivers being requested may make an already terrible parking situation in our City worse.

Mr. Wislow indicated that Phase II is a valuable piece of the overall development and is needed by Centene for its own overall growth. He added that he is not aware of any Class A office space that is over 20,000 square feet that is vacant.

Chairman Sanger commented that there is no guarantee, but the property would not become a “hole”.

Ms. Green then asked if they will guarantee that “something” would be built.

Chairman Sanger commented that each phase of the project is considered separately.

Catherine Powers commented that the overall plan contemplates a similar plan.

Ms. Green asked if major changes and/or additional waivers could be requested for Phase II.

Ms. Wislow indicated that it is their hope when Sub-district Phase II is ready for review that they will be able to demonstrate that less parking is needed than is being requested today. He stated that the Plaza has 300 unused spaces.

Chairman Sanger asked about Hanley Road.

Mr. Wislow indicated that there will be no Hanley Road lane closures.

Ms. Green stated that the project will be more beautiful if the tenant spaces are filled.

Ms. Wislow thanked the City for the opportunity to present this project and the modifications from last year’s proposal. He began a PowerPoint presentation.

The first slide depicted the former Library Ltd. Building & color rendering of the new office tower, which is proposed to be constructed in all glass; the first of its kind in the St. Louis area. Mr. Wislow indicated that HOK is the architectural firm and Clayco is a development partner. A slide depicting two different views of the subject sites was presented. Mr. Wislow indicated that 7711 Carondelet is Centene’s current location. He stated that a letter of intent has been signed with Armstrong Teasdale to occupy a portion of the office building for their IT space. A slide depicting a rendering of the proposed outdoor dining space was presented. Mr. Wislow indicated that it is their intent to energize the street frontage. A slide depicting a rendering of the retail space was presented. He indicated that Forsyth is being made retail friendly. A slide depicting Paley Park in New York was presented. Mr. Wislow indicated that this is their vision for the Hanley Courtyard. A slide depicting steps in Rodeo Drive was presented. Mr. Wislow stated this is their vision for the steps that will connect Forsyth Court with Hanley Terrace.

Ms. Green asked if the steps will be ADA accessible.

Mr. Wislow replied “no”.

Steve Lichtenfeld asked if there will be steps between Forsyth Court and Hanley Road for Phase I.

Mr. Wislow replied “no”; he stated steps would only lead to Centene’s parking facility.

Slides depicting various elevations were presented.

Steve Lichtenfeld asked if very little excavation will be needed for construction of the garage.

Mr. Lance Cage (Clayco) stated there will be quite a bit of excavating.

Mr. Wislow advised the members that MSD is requiring 10’ deep tanks underneath the garage for storm water mitigation.

Steve Lichtenfeld commented that the vaults will be spanning 1/3 of the south portion of the garage. He asked if the remaining 2/3 of the garage could be lowered to the bottom of the vaults. He stated he would like to see the garage lowered.

Jim Liberman asked how many levels of the garage will be below grade.

Mr. Wislow replied “one”.

Ron Reim asked the location of the storm lines.

Mr. Cage indicated that the storm lines are in the alley and at 7733 Carondelet.

Mr. Robert Will, attorney representing the owners of 7718 Forsyth (7716) asked about the garage ramps. He asked if there is a ramp in the middle of the garage.

Mr. Wislow replied “yes”.

Steve Lichtenfeld commented that 18 months ago, Centene indicated their desire for 50,000 square feet of floor plates. He asked why the 50,000 has “disappeared”.

Mr. Wislow replied “economics”.

Slides depicting Phase II elevations were presented.

Catherine Powers indicated that Phase II will be considered at a later date.

Jim Liberman asked Mr. Wislow to show the location of the potential bridge connecting the two office buildings.

Mr. Wislow indicated that the bridge would be above Hanley Court on the east side facing Hanley Road.

Jim Liberman stated that this bridge would seem to change the character of the terrace.

Mr. Wislow stated the bridge would be up quite high off the ground.

A slide depicting Phase II of the parking garage was presented.

Steve Lichtenfeld commented that staff has commented that the Hanley Terrace feature is not pedestrian friendly.

Catherine Powers stated that it does not lead to anywhere and there is no feel of another linkage along Hanley Road.

Jim Liberman asked about staff's recommendation about the entry to the building.

Mr. Wislow indicated that he believes staff is referring to the entry to the retail space.

Catherine Powers agreed. She stated that staff is trying to achieve a corner presence.

Jim Liberman asked about the location of public art.

Mr. Wislow indicated that art for Phase I will be in Forsyth Court. He stated they can discuss the exact location of the art piece when they come back for approval. He stated that every art piece they have done has been significant piece and that they have never pre-determined an art piece at this early stage.

Catherine Powers stated that the art piece must be installed before occupancy permits are issued but will not be required to be installed before permits are issued. She added that the Art Commission is anxious to work with the developer.

Steve Lichtenfeld asked if there will be retail space in the Phase II office building.

Mr. Wislow replied "yes".

Steve Lichtenfeld commented that the Forsyth Court level plan sheet in the booklet indicates "tenant" space, not "retail" space.

Mr. Wislow indicated that he should say that they will try and do retail in the second (Phase II) office tower.

Ron Reim asked if there is pedestrian linkage between the Phase I garage and the office tower.

Mr. Wislow replied “no”. He stated that if the budget allows, there is the potential for a glass element to provide cover between the garage and building.

Chairman Sanger asked when it would be appropriate to discuss the traffic study.

Catherine Powers indicated that once the public hearing is closed, the separate elements can be discussed. She reminded the members that the items need to be voted on separately.

Mr. Will stated that he is not sure which parcel belongs to his client.

Catherine Powers indicated that they are not looking at a subdivision plan and/or boundary adjustment at this time.

Jason Jaggi advised Mr. Will that 7716 (7718) Forsyth is split between parcels 2-3 and 2-4.

Mr. Will reminded the members that there are two owners of 7718 Forsyth and that the property is subject to a lease interest and therefore, he questions if the garage can be built.

Jim Liberman commented that he believed this subject was visited last time by the City Attorney and it was determined that the lease issue is not this Commission’s purview.

Chairman Sanger agreed, but stated that since this is a public hearing, comments from the public are accepted.

Mr. Will indicated that he believes that everyone agrees that at some point, the lease will expire or will be terminated. He stated the lease is due to expire in 47 years at which time his client has a parking lot that serves someone else, rendering a decrease in the property value. He stated that he also understands that the underground vault will traverse the property and by virtue of these actions will render the property useless. He stated his clients strongly oppose this project.

Mel Disney, Clayton resident, mentioned that a third southbound Hanley Road lane is not being required and that Hanley Road carries considerable local traffic as well as north/south through the City. He asked that southbound traffic along Hanley be considered and that this is the opportunity to provide an additional lane.

Mr. Brian Rensing, traffic engineer with Crawford, Bunte & Brammeier, was in attendance at the meeting.

Chairman Sanger asked why the recommendation for the third southbound Hanley Road lane was eliminated.



Mr. Rensing indicated that there are better access points now.

Mr. Disney commented that stating that this project will not affect traffic along Hanley Road is a gross error.

Chairman Sanger stated that the third lane would only be used to go right on Carondelet.

Mr. Disney stated that the garage is going to spill cars onto Forsyth and that he assumes most of those cars will head south on Hanley Road. He stated that this is the opportunity to get an additional lane on Hanley Road.

Mr. Rensing stated that they are not saying that the project will not have an impact on Hanley Road and that is why they are recommending a dedicated right turn lane from Forsyth onto Hanley.

Steve Lichtenfeld stated that over the years, Hanley Road traffic has been discussed. He reminded everyone that Hanley Road is a County owned road and asked if there is any indication by the County to rebuild Hanley Road north of Highway 40 through Richmond Heights and Clayton.

Paul Wojciechowski, Clayton's Public Works Director, stated that the City has had a study done on Hanley Road to improve/enhance existing conditions and that Hanley will not get widened without taking out homes. He indicated that another consultant (other than CBB) has come to the same conclusion.

Chairman Sanger asked Paul if he concurs with CBB's report.

Paul Wojciechowski replied "absolutely".

Chairman Sanger asked if there was any more public comment.

No other public comment was received.

Chairman Sanger asked staff how to proceed from here.

Catherine Powers stated that the public hearing needs to be closed and the items addressed.

Mr. Wislow asked if he could address staff's recommendations.

Chairman Sanger replied "yes".

Mr. Wislow asked about street tree spacing. He stated that he had previously requested that the street trees in front of the retail space be further separated so the retail is not hidden by trees.

Chairman Sanger asked what separation is being requested.

Mr. Wislow indicated that the City wants 22' separation; he is asking for 36' separation.

Catherine Powers informed the members that this recommendation is part of site plan review and that a decision needs to be made before taking a vote.

Scott Wilson asked the reason for spacing.

Catherine Powers replied "uniformity". She asked Paul Wojciechowski to interject.

Paul Wojciechowski informed the members that it was the decision of the Public Works Department to require the project stay within the standard tree separation for consistency. He stated he believes it would be a disservice to compromise the standard for this ½ block. He stated that they are allowing the plaza area to be opened up.

Chairman Sanger concurred with Paul's assessment that the standard should be adhered to.

Mr. Wislow asked to discuss staff's recommendation No. 7 (The proposed uses be limited to office, retail, restaurants, and accessory uses to support the primary uses. All retail must be sales tax producing restaurants or retail businesses.).

Catherine Powers advised the members that the City does not want banks, real estate office or the like for the areas designated as retail. She stated the City is looking for retail to spur the area and that staff does not want a bank to occupy the retail space as one did in the Maryland Walk building.

Mr. Wislow stated that the shops along Maryland Avenue are difficult to see because of the street trees. He stated that the recommendation for "sales tax producing" businesses is a new issue to him. He indicated that they will have a 1% TDD tax and that it is in their best interest to get tax producing businesses, but today financing is difficult and would be more so if there is a limitation. He stated they have no intent of putting in a giant bank.

Chairman Sanger informed Mr. Wislow that in the past, the City did not get what the City wanted. He reiterated that the City wants retail businesses and the need to enhance pedestrian traffic.

Scott Wilson asked if this Commission has exercised this requirement before.

Chairman Sanger stated that the wording in the recommendation has been altered to make the recommendation clear.

Catherine Powers advised the members that the City does have the ability within the SDD to place these types of conditions in order to reach a specific goal.

Jim Liberman asked if a restriction was placed on The Crescent project.

Catherine Powers replied “no”; she stated there was no public investment for that project.

Jim Liberman commented that he would hate to encumber developers regarding leasing and that Maryland Walk’s bank space was lousy for retail.

Catherine Powers stated that the City does not want the corner of “main and main” to be occupied by another corner bank.

Scott Wilson asked if there is no escape clause; if it is all or nothing.

Chairman Sanger stated that they could require that a percentage of the retail space be occupied by sales tax producing retail. He asked Mr. Wislow if that would be acceptable.

Mr. Wislow indicated that he understands what staff is trying to avoid and trying to accomplish and that they will use commercially reasonable efforts to obtain sales tax producing retail.

Catherine Powers stated that it is not just the percentage of retail that is important, but the location. She stated that Forsyth Court would be “killed” if a bank or real estate office were to occupy space fronting the Court. She added that commercial will always trump retail. She reiterated that the City does not want a bank at the corner of Forsyth and Hanley.

Mr. Wislow indicated that it is not reasonable to put a restriction on them because of what another developer did.

Catherine Powers reminded the members that the public hearing is still open.

Chairman Sanger asked for final public comment.

Mr. Michael Tobin, U.S. Equities, commented that this is a mixed-use project and that retail is a critical component of the project. He disagreed that commercial trumps retail. He stated that they have to be competitive in the market and that spot zoning cannot be done as is with this restriction. He stated the importance of attracting the right mix of tenants.

Being no further public comment, Ron Reim made a motion to close the public hearing. The motion was seconded by Steve Lichtenfeld and unanimously approved by the members.

Craig Owens indicated that he would approve of a specific percentage requirement for retail so there is no corner bank.

Steve Lichtenfeld stated that to provide relief from the retail requirement there can be a trade-off such as going deeper with the garage.

Jim Liberman agreed.

Chairman Sanger asked what the impact is if these issues are not resolved this evening.

Catherine Powers indicated that the rezoning could be voted on tonight with the remaining items being continued.

Chairman Sanger asked if the garage can be lowered.

Mr. Wislow stated that lowering the garage was looked at extensively and that the large tanks and storm sewer lines hinder that. He stated there is also a financial impact on digging deeper, which he realizes does not affect the City's decision.

Catherine Powers reminded the members that zoning waivers are being requested for this project and that part of the SDD is negotiation.

A brief discussion regarding storm water mitigation took place.

Jim Liberman commented that the number of above grade garage levels is daunting to him.

Steve Lichtenfeld stated that once the additional 4 levels are in place (for Phase II), the garage will become a massive piece of concrete.

Scott Wilson stated that a decision needs to be made if the number of floors above grade is acceptable.

Steve Lichtenfeld asked for confirmation that the height and footprint of the garage are being considered this evening.

Catherine Powers replied "yes". She asked that they also keep in mind the number of spaces and that they can only achieve a 9-foot step-back in order to get the required number of spaces.

Chairman Sanger stated that he does not want to put a burden on the developer, but that a decision needs to be made on how the City gets what it needs.

Steve Lichtenfeld indicated that the single, most important retail area is the entrance to Forsyth Court on the east side of the garage (west side of Forsyth Court) and where it has been assumed would be the location for a restaurant and where retail should be focused and would hopefully, drive other retail tenants.

A brief discussion regarding locations for retail ensued.

Chairman Sanger asked if this Commission can be specific as to where sales tax producing retail must be located and that a “commercially reasonable effort” be made to locate retail tenants in the remaining areas marked for retail.

Catherine Powers replied “yes”.

Chairman Sanger agreed that the developer has the incentive in place to lease as much retail space as possible.

Craig Owens asked that the location of the desired sales tax producing retail be reiterated so everyone understands where it is being requested.

Chairman Sanger stated that what he believes has been agreed to is that sales tax producing retail be required to be located along the east side of the garage and along the west side of the office building.

Catherine Powers asked that sales tax producing retail also be required around the corner (Forsyth & Hanley).

Chairman Sanger noted “as indicated on the plans”.

Mr. Wislow commented that there is no definition line for retail on the office tower plans. He then pointed out the location on the floor plan slide the area for which the members have indicated they want sales tax producing retail.

Chairman Sanger confirmed that the location for the required sales tax producing retail is located in the first retail bay in the garage on the east side and the first retail bay in the office building on the west side and that a commercially reasonable effort be made to acquire sales tax producing retail tenants fronting Forsyth Court.

Catherine Powers indicated that if the Commission is in agreement with the staff recommendations and the revisions to the staff recommendation pertaining to the sales tax producing retail per the discussion, that a vote can take place for the rezoning, the SDD overall plan, the Sub-district (Phase I) and the site plan.

Steve Lichtenfeld asked if the setback proposed for this project is more generous than that provided at Interco Tower along Hanley Road.

Catherine Powers replied “yes”.

Chairman Sanger asked if there are any staff recommendations with regard to the approval of the rezoning.

Catherine Powers noted that there are no recommendations tied specifically to the rezoning, but that there are staff recommendations for approval of the Special Development District Plan (outlined on Page 7 of these minutes).

Scott Wilson made a motion to recommend approval of the rezoning to a Special Development District (SDD) to the Board of Aldermen. The motion was seconded by Steve Lichtenfeld and received unanimous approval of the Commission.

Scott Wilson made a motion to approve the Special Development District Plan per staff recommendations, with the exception of staff recommendation No. 7 which has been amended, as follows:

1. A subdivision plat be approved by the City prior to issuance of building permits;
2. The design of the Forsyth parking garage and Forsyth Court public plaza, including landscaping, be approved by the City's Architectural Review Board and Board of Aldermen prior to building permit issuance for the garage;
3. The surface parking lot located at 21 South Hanley be approved for construction staging for Phase 1. Upon completion of its use for staging, a landscape plan providing sufficient screening for use as a surface parking lot be approved by the Architectural Review Board;
4. The public benefits be provided as shown on the plans and application, including but not limited to, public art, two public plazas, and LEED green building certification;
5. The Sub-District plans, including site plan review and architectural review, be approved in conformance with the Special Development Plan;
6. The signage be approved for the development in the form of a sign district approved by the City's Architectural Review Board;
7. That sales tax producing retail be located in the first retail bay in the garage on the east side and in the first retail bay of the office building on the west side and that a commercially reasonable effort be made to acquire sales tax producing retail tenants fronting Forsyth Court;
8. Any proposed amendments to the Special Development Plan be considered in accordance with Section 11.17 of the Clayton Zoning Ordinance;

9. Streetscape is installed according to Clayton Streetscape Standards and approved by the Public Works Department;
10. All traffic mitigation identified in the February 2007 Traffic Impact Study prepared by Crawford, Bunte, Brammeier and re-affirmed on August 15, 2008; and
11. All off-site roadway improvements be provided as shown on page 45 of the August 22, 2008 plans or as directed by the Public Works Department.

The motion was seconded by Steve Lichtenfeld and unanimously approved by the members.

Ron Reim made a motion to approve the Sub-district (Phase I) development plan per staff recommendations, with the exception of staff recommendation No. 1 which has been amended, as follows:

1. That sales tax producing retail be located in the first retail bay in the garage on the east side and in the first retail bay of the office building on the west side and that a commercially reasonable effort be made to acquire sales tax producing retail tenants fronting Forsyth Court;
2. That the corner entry in the office tower be no further west than Column 3 facing Forsyth and no further south than Column B facing Hanley as shown on Sheet 31 of the plans;
3. That architectural review for the garage, Forsyth Court and the landscaping be approved by the Plan Commission and Board of Aldermen prior to building permit issuance for the garage; and
4. That the lot consolidation & subdivision plats be approved prior to building permit issuance for the office building.

The motion was seconded by Steve Lichtenfeld and unanimously approved by the members.

Ron Reim made a motion to approve the site plan per staff recommendations as follows:

1. MSD approval of the storm water retention system;
2. All mitigations as outlined on Page 36 of the Traffic Study prepared by Crawford, Bunte & Brammeier;
3. Installation of streetscape per City of Clayton Standards to be approved by the Public Works Department prior to installation;

4. Reconstruct the island at the northwest corner of Hanley Road and Forsyth Boulevard to allow the shift of traffic lanes to the north providing for the addition of an eastbound right turn lane at this intersection, which may include relocation of traffic control boxes, traffic signals and plantings in the island;
5. Final approval by the City's Fire Department of the turn-around area, location of central fire command room and other fire related issues prior to building permit issuance; and
6. Public art approval prior to occupancy of the office building.

The motion was seconded by Scott Wilson and received the following voice call vote: Ayes: Chairman Sanger, Craig Owens, Steve Lichtenfeld, Scott Wilson, and Ron Reim. Nays: Jim Liberman. Motion carries.

Architectural review of the office tower was now up for discussion.

Catherine Powers explained that the applicant is requesting approval for the design and materials of the office tower only. The architectural design and materials for the parking garage, Forsyth Court, and Hanley Road frontage will be presented for approval to the Architectural Review Board and Board of Aldermen at a later date. Catherine indicated that the Forsyth office tower is one of three structures comprising the Centene Plaza Special Development District. The other two structures are the mid-block Forsyth parking garage and the Phase 2 commercial office tower to be located at the corner of Hanley and Carondelet. The subject office tower will be 21 stories (313 feet in height) and will be located at the southwest corner of Forsyth and Hanley. The high rise office tower will be constructed of an aluminum and glass curtain wall system. The ground floor will be clear glass approximately 20 feet in height. Columns of metal painted covers will be placed at regular intervals for structural and visual integrity. The lower portion of the building will be recessed to provide additional pedestrian areas. The building's support columns are exposed at the lower levels. On the corner of Forsyth and Hanley the lower portion of the storefront glass is shown as curved to address the intersection. The main entry to the building is via a lobby located off of Forsyth Court. Several doors are shown off of Forsyth Court and the sidewalk fronting Forsyth to access the ground floor retail areas. The plans currently depict an entry near the corner of Forsyth and Hanley. The rooftop mechanical equipment is screened by a parapet wall when viewed from the street level. It is difficult to discern if these units will be entirely screened by the wall or if they will be partially visible. Due to grade changes, the lower portion of the tower on the south elevation is proposed to be faced with architectural pre-cast panels. The design pattern for these panels has not been presented to staff. This area will be readily visible from Carondelet and Hanley. Catherine noted that signage and public art locations are shown conceptually, but will be presented in final form at a later date for the Architectural Review Board's approval. Catherine indicated that the tower represents a simplistic form, but that it will create distinction via the glass curtain wall system. The lower levels of the tower provide a contrast to the upper portion



by exposing the columns on the exterior and recessing the wall into the building while still providing the translucent appearance. The curved wall treatment also appropriately addresses the corner of Forsyth and Hanley. She indicated that staff has concerns with a few aspects of the design as follows: 1) The corner portion of the building should provide an entry point to the first floor in keeping with many of the recently built office buildings in the Central Business District. (Referencing Page 31 of the Sub-District plan, this entry point should be between Column 3 facing Forsyth and Column B facing Hanley); 2) The precast material's texture and design pattern should be presented and approved by the ARB as a part of this review; and 3) The rooftop mechanical equipment must be fully screened from view and therefore, staff recommends approval of the architectural aspects of the commercial office tower portion of Sub-district Phase 1, with the following conditions:

1. The corner portion of the building provide an entry point to the first floor located between Column 3 facing Forsyth and Column B facing Hanley as shown on Page 31 of the Sub-District Plan;
2. The precast architectural panels be approved by the Architectural Review Board in terms of color, texture, and pattern.
3. The rooftop mechanical equipment be completely screened from view by the parapet or another screening method;
4. That the applicant receive Architectural Review Board and Board of Aldermen approval for the design and materials of the Forsyth Parking Garage, Hanley Road frontage, and Forsyth Court Plaza area at a later date but before building permits are issued for the garage; and,
5. That public art and a sign package are approved by the Architectural Review Board prior to installation of any signs or art features.

A slide depicting a color rendering of the Sub-district Phase I all glass office tower was presented. Mr. Wislow indicated that he believes the City has approved the design of this building. The loading dock and floor plans were also presented. He advised the members that the top floor will be split between the mechanical penthouse and Armstrong-Teasdale's conference and meeting room space. He stated that the first and second floors of the building are recessed to maintain an architectural distinctiveness to the base. He stated there is a shadow box that will occur between the floors.

Chairman Sanger asked about the glass.

Mr. Wislow stated that Vericon Glass Company has just come up with a new glass; the 159 Series, which has extremely great solar qualities.

Samples of the glass and corrugated metal were presented.

Mr. Wislow stated that they would like to get the cafeteria, which is to be shared between Centene & Armstrong Teasdale, on the first floor. He stated if that cannot be accomplished, they will have to relocate the auditorium and place the cafeteria on the second floor. He stated that since the building has been converted from a steel structure to a concrete structure, the corners of the building have been opened up so the columns will not be visible.

Steve Lichtenfeld asked if they had a sample available of the aluminum.

Mr. Wislow presented a sample of the aluminum, but he indicated that the sample is for color purposes only as the profile is very thin.

Being no further questions or comments, Jim Liberman made a motion to approve per staff recommendations (outlined on the previous page of these minutes). The motion was seconded by Scott Wilson and unanimously approved by the Board.

REPLACEMENT FENCE – COMMERCIAL – 500 S. HANLEY ROAD (WESTWAY CLEANERS)

Mr. Paul Nicozisin, Westway Cleaners, was in attendance at the meeting. He asked that the Board allow him to use the white color as requested.

Ron Reim asked if the existing fence is wood.

Jason Jaggi replied “yes”.

Mr. Nicozisin presented a material sample, in a beige/tan color that he will use if the white is not approved.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve per staff recommendations as follows:

1. That the fence color be per the sample presented (beige/tan);
2. That Holly trees remain and be trimmed; and
3. That the applicant obtain a fence permit prior to installation.

The motion was seconded by Scott Wilson and unanimously approved by the Board.

Chairman Sanger commented that the Commission and City staff did a great job with regard to the Centene Project.

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Being no further business for the Plan Commission/Architectural Review Board,  
this meeting adjourned at 8:40 p.m.

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Recording Secretary